

# **RULES OF GEORGIA BOARD OF CHIROPRACTIC EXAMINERS**

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# CHAPTER 100-1

## ORGANIZATION

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#### **100-1-.01 Organization of Board**

#### **100-1-.02 Rules of Procedure**

All Rules and Regulations pertaining to the Administration of the State Board of Chiropractic Examiners shall be administered by the Joint Secretary, State Examining Boards Division of the Office of Secretary of State. The Office of the Joint Secretary is located at 166 Pryor Street, S.W., Atlanta, Georgia 30303.

Authority O.C.G.A. 43-9-12.

#### **100-1-.01 Organization of Board.**

The Georgia Board of Chiropractic Examiners shall be composed of five practicing chiropractors, appointed by the Governor. The Board shall elect annually, a president and vice-president. Meetings of the Board are held at the Offices of the Secretary of State's Professional Licensing Boards Division. The public may obtain information or make submissions and requests to the board through this office.

Authority O.C.G.A. Secs. 43-1-25, 43-9-6.1, 43-9-12. **History.** Original Rule entitled "Organization of Board" adopted. F. and eff. June 30, 1965. **Repealed:** New Rule of same title adopted. F. May 1, 2006; eff. May 21, 2006.

#### **100-1-.02 Rules of Procedure.**

All proceedings of the Board may be governed by Robert's Rules of Order.

Authority O.C.G.A. Secs. 43-1-25, 43-9-6.1, 43-9-12. **History.** Original Rule entitled "Rules of Procedure" adopted. F. and eff. June 30, 1965. **Repealed:** New Rule of same title adopted. F. May 1, 2006; eff. May 21, 2006.

# CHAPTER 100-2

## LICENSE REQUIREMENTS

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#### **100-2-.01 Writing of Examinations.**

All Examinations will be conducted in the English language.

Authority Ga. Code 84-508. **History.** Original Rule entitled "Writing of Examinations" was filed and effective on June 30, 1965.

#### **100-2-.02 License Renewal**

(1) Every person who holds a valid license as a chiropractor shall immediately upon issuance thereof be deemed licensed by the Board. Said license shall expire on December 31 of the even numbered years and shall be renewable biennially in accordance with the Official Code of Georgia Annotated (Section 43-9-11). Any licensee whose business address changes must notify the Board in writing within fifteen days of that change of address.

(2) Applications for renewal received in the Board office within ninety (90) days after the renewal deadline shall be considered "late renewals" and shall be renewed upon the applicant's payment of the current renewal fee, his/her submission of the required continuing education hours, and the payment of the applicable penalty fee as determined by the board.

(3) The Division Director shall notify all expired licensees on April 1 following the deadline for renewal of the fact that they are practicing chiropractic in violation of the Georgia Chiropractic Practice Act.

(4) A list of all expired licensees shall be made public on or after April 1.

Authority O.C.G.A. Secs. 43-9-6.1, 43-9-11. **History.** Original Rule entitled "Temporary Permits" adopted. F. and eff. June 30, 1965. **Repealed:** New Rule entitled "License Renewal" adopted. F. Jan. 13, 1999; eff. Feb. 3, 1999. **Repealed:** New Rule of same title adopted. F. May 1, 2006; eff. May 21, 2006.

#### **100-2-.03 Change of Address.**

Each licensed chiropractor shall file his/her business address with the Board and notify the same of any changes of address within fifteen days of such change.

Authority O.C.G.A. Secs. 43-9-4, 43-9-6.1, 43-9-11. **History.** Original Rule entitled "Change of Address" adopted. F. and eff. June 30, 1965. **Repealed:** New Rule of same title adopted. F. June 9, 1993; eff. June 29, 1993. **Repealed:** New Rule of same title adopted. F. May 1, 2006; eff. May 21, 2006.

#### **100-2-.04 Repealed.**

Authority O.C.G.A. Secs. 43-1-23, 43-1-25, 43-9-6.1. **History.** Original Rule entitled "Recording License" adopted. F. and eff. June 30, 1965. **Repealed:** F. Dec. 15, 2006; eff. Jan. 4, 2007.

#### **100-2-.05 Refusal or Revocation of License.**

In addition to other prescribed reasons stated in the law, the Board will refuse license to any applicant whose physical condition is manifestly incompatible with the practice of his profession.

Authority Ga. Code Ann. Sec. 84-512. **History.** Original Rule entitled "Refusal or Revocation of License" adopted. F. and eff. June 30, 1965.

#### **100-2-.06 Repealed.**

Authority Ga. Code Ann. Sec. 84-512. **History.** Original Rule entitled "Cooperation With Board" adopted. F. and eff. June 30, 1965. **Repealed:** F. May 25, 1999; eff. June 14, 1999.

#### **100-2-.07 Endorsement.**

The Board may license by endorsement, a chiropractor who holds a license that was obtained by examination from another state or territory of the United States subject to the following conditions:

- (1) An applicant will not be considered for licensure by endorsement in the State of Georgia if he or she has ever failed the Georgia Practical Examination.
- (2) Applicants for licensure by endorsement must have been licensed, in good standing in ALL states in which they hold a license, and have been in active practice for a minimum of three (3) years.
- (3) Applicants for licensure by endorsement must show evidence of having successfully passed all parts of the National Board of Chiropractic Examiners (NBCE) examination that were available at the time of graduation or that were required by the state in which the applicant was first licensed and practiced for a minimum of three (3) years. Applicants must provide evidence of any such state requirement(s) referred to in this section of the rule.
- (4) As part of the licensure process, the applicant shall complete an application for licensure by endorsement and shall:
  - (a) submit all applicable fees provided for in Board Rule 100-11- .01;

(b) cause certification documents demonstrating his or her good standing to be submitted directly from the boards of all states in which the applicant holds a license to practice chiropractic. To be considered for licensure by endorsement, an applicant's license(s) must be in good standing in any and all states and territories of the United States in which he or she successfully passed an examination for licensure;

(c) submit a signed affidavit indicating that the applicant has read and understands the Laws and Rules governing the Chiropractic practice in the State of Georgia, and shall be subject thereto.

(5) Applicants for licensure by endorsement, at the discretion of the Board, shall submit proof of having successfully passed the Special Purposes Examination for Chiropractic developed and administered by the National Board of Chiropractic Examiners no earlier than 24 months prior to date of application.

(6) The applicant for licensure by endorsement must not have committed any act that would constitute a violation of the Georgia Board of Chiropractic Laws and Rules. Furthermore, he or she must not be the subject of any pending or unresolved disciplinary action or malpractice judgement in this or any other state or territory.

(7) Applicants for licensure by endorsement may, at the discretion of the Board, be required to appear for a personal interview.

Authority O.C.G.A. Secs. 43-1-25, 43-9-6.1, 43-9-7, 43-9-9. **History.** Original Rule entitled "Practitioners Licensed in Other States" adopted. F. July 24, 1981; eff. Aug. 13, 1981. **Repealed:** New Rule entitled "Reciprocity" adopted. F. Oct. 25, 1983; eff. Nov. 14, 1983. **Amended:** F. Dec. 2, 1986; eff. Dec. 22, 1986. **Repealed:** New Rule of same title adopted. F. Mar. 20, 1989; eff. Apr. 9, 1989. **Amended:** F. June 9, 1993; eff. June 29, 1993. **Amended:** F. Dec. 5, 1997; eff. Dec. 25, 1997. **Repealed:** New Rule entitled "Endorsement" adopted. F. May 25, 1999; eff. June 14, 1999. **Amended:** F. Sept. 3, 1999; eff. Sept. 23, 1999. **Repealed:** New Rule of same title adopted. F. May 1, 2006; eff. May 21, 2006. **Amended:** F. May 2 2007; eff. May 22, 2007.

### **100-2-.08 Inactive License.**

(1) A Doctor of Chiropractic who holds a valid license to practice Chiropractic in the State of Georgia may request the license be placed on inactive status under the following provisions:

(a) Notifies the Board, in writing, that he or she chooses to retire from active practice of the profession. Said license shall be considered inactive.

(b) Shall not engage in the practice of Chiropractic and shall not hold themselves out to the public as being available to provide chiropractic services.

(c) Shall not be required to obtain the necessary continuing education credits.

(d) Shall not be assessed a renewal fee for the period that the license is inactive.

(2) The practice of chiropractic with an inactive license shall be considered unlicensed practice and is subject to disciplinary action.

(3) Should a Doctor of Chiropractic holding an inactive license choose to return to active practice, the following requirements must be met:

(a) Submit evidence of attendance at forty (40) hours of Board approved continuing education within the last two (2) years.

(b) Provide evidence that licensee is in good standing in all jurisdictions in which he or she has ever been licensed. A reactivation fee as established by the board must be submitted with the application for reactivation.

(4) After 5 years of continuous inactive status, the Board may, at its discretion require successful completion of the Special Purposes Examination for Chiropractic (SPEC).

Authority O.C.G.A. Secs. 43-1-22, 43-9-6.1. **History.** Original Rule entitled "Inactive License" adopted. F. Oct. 27, 1998; eff. Nov. 16, 1998. **Repealed:** New Rule of same title adopted. F. May 1, 2006; eff. May 21, 2006.

### **100-2-.09 Reinstatement of Expired Licenses.**

(1) A minimum of two (2) years shall pass from the date of any revocation of a license before the Board will consider an application for reinstatement. If the Board denies any application for reinstatement, the Board may require that a minimum of two (2) years pass from the date of the denial before the Board will consider subsequent applications for reinstatement. This rule shall only apply in those instances which the license in question was revoked for reasons other than failure to renew.

(2) For purposes of this regulation, the administrative revocation of a license for failure to renew shall not be treated as a disciplinary action or contested case.

(3) In order to reinstate a license to practice chiropractic, an applicant must complete an application and pay a reinstatement fee. The applicant must submit a detailed resume of such licensee's chiropractic experience since the date said license was last renewed and in good standing.

(4) If the chiropractor has been practicing outside of Georgia, the Board must receive a statement from a recognized licensing jurisdiction regarding the state of licensure in such locale.

(5) The applicant must demonstrate to the satisfaction of the Board that he or she has maintained current knowledge, skill and proficiency in the practice of chiropractic and that he or she is mentally and physically able to practice with reasonable skill and safety.

(6) The Board may require the passage of an examination, such as the Special Purposes Examination for Chiropractic administered by the National Board of Chiropractic Examiners or other assessments as designated and approved by the Board.

(7) Reinstatement of a license is at the Board's discretion. The Board may deny reinstatement but the applicant shall be entitled to an appearance before the Board.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-9-6.1, 43-9-12, 43-9-15. **History.** Original Rule entitled "Reinstatement of Expired Licenses" adopted. F. Jan. 13 1999; eff. Feb. 3, 1999. Amended: F. Sept. 12, 2003; eff. Oct. 2, 2003. **Repealed:** New Rule of same title adopted. F. Sept. 5, 2006; eff. Sept. 25, 2006.



# CHAPTER 100-3

## EXAMINATIONS

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#### **100-3-.01 Filing Applications**

#### **100-3-.02 Accompanying Documents**

#### **100-3-.03 Repealed**

#### **100-3-.04 Repealed**

#### **100-3-.05 Repealed**

#### **100-3-.06 Repealed**

#### **100-3-.01 Filing Applications. Amended.**

All applicants for licensure shall complete an application form prescribed by the Board. Completed applications, all documents and fees must be received by the Board forty-five (45) days prior to the date of the examination.

Authority O.C.G.A. Secs. 43-9-7, 43-9-8, 43-9-6(1). **History.** Original Rule entitled "Filing Applications" was filed and effective June 30, 1965. **Amended:** Filed May 5, 1975; effective May 25, 1975. **Amended:** Rule repealed and a new Rule of same title adopted. Filed October 26, 1984; effective November 15, 1984. **Amended:** Rule repealed and a new Rule of same title adopted. Filed September 19, 1985; effective October 9, 1985. **Amended:** Rule repealed and a new Rule of same title adopted. Filed August 27, 1987; effective September 16, 1987. **Amended:** F. Dec. 15, 1992; eff. Jan. 4, 1993.

#### **100-3-.02 Accompanying Documents. Amended.**

All applications must be completed fully and accompanied by the following:

(a) A photograph taken within one (1) year prior to submission of the application.

Unfinished proofs are not acceptable.

(b) Certification of General College Training. All applicants for licensure shall submit proof of having completed two (2) years of general college training in schools or colleges approved by the Southern Association of Accredited Colleges or schools approved by virtue of reciprocity through such association. A full year consists of forty-five (45) quarter hours or thirty (30) semester hours. The Certification of General College Training form should be mailed to the college(s) attended by the applicant for the college to complete the number of quarter or semester hours earned by the applicant. No educational credit will be granted for any home extension or correspondence study.

1. All applicants for licensure who obtain general college training from foreign schools or colleges not approved by the Southern Association of Accredited Colleges shall submit proof that general college training is equivalent to that offered by the Council of Chiropractic Education (CCE) approved college as evidenced by its use for admission purposes. The Certification of Foreign General College Training form should be mailed to the college(s) attended by the applicant to be completed by the college.

(c) All applicants for licensure shall submit proof of graduation from a chiropractic school or college accredited by the Council of Chiropractic Education (CCE) or a Board-approved successor or a chiropractic school or college which is actively seeking accreditation from the Council on Chiropractic Education (CCE) or a Board-approved successor, which requires a four-year standard college course and is approved by the Board.



1. Proof of graduation from a chiropractic school or college shall be a certified transcript of the applicant's grades attesting graduation from an approved chiropractic school or college. Such certified transcript shall be sent directly to the Board from the chiropractic school or college.

(d) All applicants (initial and re-examination) for licensure, after January 1, 1998, shall submit proof of having successfully passed Parts I, II, III and IV of the National Board of Chiropractic Examiners examination.

1. Proof of having passed Parts I, II, III and IV of the National Board examination shall be a certified copy of the applicant's transcript of scores from the National Board of Chiropractic Examiners.

(e) Application fee as provided for in Rule 100-11-01.

Authority O.C.G.A. Secs. 43-9-6(1), 43-9-7, 43-9-8. **History.** Original Rule entitled "Accompanying Documents" was filed and effective on June 30, 1965. **Amended:** Filed May 25, 1982; effective June 14, 1982. **Amended:** Rule repealed and a new Rule of same title adopted. Filed October 26, 1984; effective November 15, 1984. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed August 27, 1987; effective September 16, 1987. **Amended:** F. Dec. 5, 1997; eff. Dec. 25, 1997.

### **100-3-.03 Repealed.**

Authority O.C.G.A. Secs. 43-9-6(1), 43-9-7, 43-9-8. **History.** Original Rule entitled "Fees" was filed and effective on June 30, 1965. **Amended:** Rule repealed and a new Rule of same title adopted. Filed July 27, 1976; effective August 16, 1976. **Amended:** Rule repealed and a new Rule entitled "Grades" adopted. Filed October 26, 1984; effective November 15, 1984. **Amended:** Filed May 1, 1985; effective May 21, 1985. **Amended:** Filed September 26, 1986; effective October 16, 1986. **Amended:** Rule repealed and a new Rule of same title adopted. Filed August 27, 1987; effective September 16, 1987. **Amended:** Filed May 24, 1988; effective June 13, 1988. **Amended:** F. Mar. 20, 1989; eff. Apr. 9, 1989. **Repealed:** F. Dec. 5, 1997; eff. Dec. 25, 1997.

### **100-3-.04 Repealed.**

Authority O.C.G.A. Secs. 43-9-8, 43-9-6(1). **History.** Original Rule entitled "Recognition of Colleges" was filed and effective on June 30, 1965. **Amended:** Rule repealed. Filed October 26, 1984; effective November 15, 1984. **Amended:** Rule entitled "Scheduling of Examinations" adopted. Filed September 19, 1985; effective October 9, 1985. **Amended:** Rule repealed and a new Rule of same title adopted. Filed April 20, 1987; effective May 10, 1987. **Amended:** Rule repealed and a new Rule of same title adopted. Filed August 27, 1987; effective September 16, 1987. **Repealed:** New Rule of same title adopted. F. Aug. 21, 1991; eff. Sept. 10, 1991. **Repealed:** F. Dec. 5, 1997; eff. Dec. 25, 1997.

### **100-3-.05 Repealed.**

Authority Ga. Code 84-507 as amended O.C.G.A. Sec. 43-9-7. **History.** Original Rule entitled "Extension Courses" was filed and effective June 30, 1965. **Amended:** Rule repealed. Filed October 26, 1984; effective November 15, 1984. **Amended:** New Rule entitled "Students: Pregraduation Examination Requirements and Procedures" adopted. F. Nov. 28, 1995; eff. Dec. 18, 1995. **Repealed:** F. Dec. 5, 1997; eff. Dec. 25, 1997.

### **100-3-.06 Repealed.**

Authority Ga. L. 1976, pp. 1054, 1055 (Ga. Code 84-508); Ga. L. 1921, pp. 166-176; 1975, pp. 714-716 (Ga. Code 84-510). **History.** Original Rule entitled "Grades" was filed and effective on June 30, 1965. **Amended:** Rule repealed and a new Rule of same title adopted. Filed July 24, 1981; effective August 13, 1981. **Amended:** Filed August 25, 1982; effective September 14, 1982. **Amended:** Rule repealed. Filed October 26, 1984; effective November 15, 1984.

# CHAPTER 100-4

## ADVERTISING

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#### **100-4-.01 Advertising**

#### **100-4-.01 Advertising.**

(1) Defined. Advertising shall mean any information communicated in a manner designed to attract public attention to the practice of the licensee or the chiropractic profession. Advertising shall include but not be limited to any communication which is published, displayed, printed, broadcast, or spoken including the use of newspapers and other publications, telephone directories, pamphlets, handouts, billboards, window displays, radio, television, telephone, computer, internet, fax or other telecommunication device or any other means or medium.

(2) A licensee shall not make any false, misleading, or deceptive communication in any form of advertising nor shall the licensee utilize any form of advertising which has the capacity or tendency to deceive, mislead, or confuse the recipient in any manner including but not limited to the following:

(a) Advertising which contains a misrepresentation of any fact or facts including advertising which has the capacity or tendency to mislead, deceive, or confuse any potential recipient either through false or misleading claims or by failing to disclose relevant or material facts;

(b) Advertising which conveys the impression of professional superiority or other superior attributes that cannot be substantiated. Licensees may not advertise that they have certifications or have attained diplomate status without having been conferred the title of diplomate or having received certifications by one or more of the following boards:

- (i) Diplomate American Chiropractic Board of Radiology (DACBR);
- (ii) Diplomate American Chiropractic Rehabilitation Board (DACRB);
- (iii) Diplomate American Chiropractic Board of Nutrition (DACBN);
- (iv) Diplomate American Board of Chiropractic Internists (DABCI);
- (v) Certification Chiropractic Sports Physicians (CCSP);
- (vi) Diplomate American Board of Chiropractic Orthopedics (DABCO);
- (vii) Diplomate American Board of Forensic Professionals (DABFP);
- (viii) Diplomate American Chiropractic Academy of Neurology (DACAN);
- (ix) Certification American Chiropractic Board of Thermologists (CACBT)

- (x) Diplomate American Board of Chiropractic Neurology (DABCN)
  - (xi) Diplomate American Chiropractic Board of Sports Physicians (DACBSP);
  - (xii) Diplomate American Chiropractic Board of Occupational Health (DACBOH);
  - (xiii) Diplomate American Chiropractic Neurology Board (DACNB);
- (c) Advertising that has the capacity or tendency to create false or unjustified expectations of beneficial treatment or successful cures;
- (d) Advertising that contains any guarantee of the results of any services;
- (e) Advertising of services that the licensee is not licensed to perform in this state;
- (f) Advertising, including that place in a classified or telephone directory, under a heading which may foster confusion about the professional status of the chiropractor or under a professional heading in which the chiropractor is not licensed;
- (g) Advertising a transaction that is in itself illegal;
- (3) Chiropractors licensed under this chapter may only use the terms chiropractor, chiropractors, doctors(s) of chiropractic, and/or D.C. The use of the term Chiropractic Physicians is not authorized.
- (4) Licensees may advertise that they will perform designated chiropractic services free or at a discount if, in fact, no compensation in any form for such services will be requested from the patient, their insurer, or any third party subject to the following provisions:
- (i) A detailed account of the advertised services being offered free or at a discount must be presented in writing to, and signed by, the patient, clearly explaining that **ANY FURTHER TREATMENT WILL BE PROVIDED AT RATES REGULARLY CHARGED BY THIS OFFICE**. A copy of this document must be given to the patient and the original must be maintained in the patient record in keeping with Rule 100-10-.01 (h)(i) which requires that such records be retained for not less than seven (7) years from the date of service.
  - (ii) If a charge is made for any service rendered on the same day that an advertised free or discounted service is rendered, a detail account of those services offered for a fee must be provided in writing to, and signed by the patient, clearly explaining that these treatments are not a part of any offer of free or discounted services. A copy of this document must be given to the patient and the original must be maintained in the patient record in keeping with Rule 100-10-.01(h)(i) which requires that such records be retained for not less than seven (7) years from the date of services.
  - (iii) For the purpose of this Section, no separate charge shall be made for the professional evaluation of diagnostic tests or procedures which are provided without cost or at a discount whether such professional evaluation is made at the time of the initial office visit or at a later date.

(5) Nothing in this Section shall be so interpreted as to interfere with or prohibit fee discounts or offers of discounted fees in connection with any managed care plan, group plan, Medicare, or similar entity.

Authority O.C.G.A. Secs. 43-1-25, 43-9-6.1, 43-9-12, 43-9-16. **History.** Original Rule entitled "Advertising" adopted. F. and eff. June 30, 1965. **Repealed:** New Rule of same title adopted. F. Oct. 26, 1984; eff. Nov. 15, 1984. **Amended:** F. Apr. 7, 1999; eff. Apr. 27, 1999. **Amended:** F. Sept. 3, 1999; eff. Sept. 23, 1999. **Repealed:** New Rule of same title adopted. F. Feb. 17, 2006; eff. Mar. 9, 2006.

# CHAPTER 100-5

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#### **100-5-.02 Approval of Educational Programs**

#### **100-5-.03 Reporting and Auditing of Hours**

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#### **100-5-.01 Hours Required. Amended.**

(1) Each licensed chiropractor is required to obtain a minimum of twenty (20) hours of Board-approved continuing education annually in order to renew his/her license biennially.

(a) Courses dealing entirely with practice building or practice management will not be accepted by the Board for the purpose of satisfying the requirement of O.C.G.A. § 43-9-11.

(b) Each licensed chiropractor shall maintain in his/her own possession certificates of attendance at continuing education meetings for a period of 4 years from the date of the program.

(c) Each doctor of chiropractic is responsible for determining in advance that the courses which he/she proposes to attend are sponsored by an approved provider.

(2) Successful licensure candidates are automatically exempt from meeting the continuing education requirement in the calendar year said candidate is licensed.

Authority O.C.G.A. Secs. 43-1-25, 43-9-4, 43-9-6.1, 43-9-11. **History.** Original Rule entitled "Violations" adopted. F. and eff. June 30, 1965. **Repealed:** New Rule entitled "Hours Required" adopted. F. Apr. 17, 1985; eff. May 7, 1985. **Repealed:** New Rule of same title adopted. F. July 22, 1997; eff. Aug. 11, 1997. **Repealed:** New Rule of same title adopted. F. Nov. 19, 2002; eff. Dec. 9, 2002.

#### **100-5-.02 Approval of Educational Programs. Amended.**

Effective January 1, 1999:

(1) A chiropractor must obtain a minimum of twenty (20) hours of continuing education per annum. Of these twenty hours, fifteen (15) must be in chiropractic clinical science, four (4) hours must be in ethics or risk management, and one (1) hour must be in jurisprudence (NOTE: non-resident chiropractors, licensed but not practicing in Georgia, may take an additional hour of continuing education in the chiropractic clinical sciences or risk management in lieu of the required hour in Georgia Laws and Rules).

(a) Approved areas of study to satisfy the fifteen (15) hours in chiropractic clinical science are:

1. Examination Procedures/Diagnoses
2. Adjustive Technique
3. Radiographic Technique/Safety
4. Diagnostic Imaging Interpretation
5. Nutrition
6. Research Trends
7. Physiological Therapeutics
8. Chiropractic Philosophy; a maximum of 3 hours credit in chiropractic philosophy will be considered by the Board for continuing education approval.

(b) Approved areas of study to satisfy the four (4) hours in ethics or risk management are:

1. Risk Management
2. Chiropractic Medical/Legal
3. Public Health Issues
4. Professional Conduct/Boundaries Issues
5. Scope of Practice.

(c) Approved areas of study to satisfy the one (1) hour in jurisprudence are:

1. Georgia Chiropractic Laws and Rules

2. Non-resident chiropractors, licensed but not practicing in Georgia, may take an additional hour of continuing education in the chiropractic clinical sciences or risk management in lieu of the required hour in Georgia Laws and Rules.

(d) Courses specifically excluded from continuing education approval include, but are not limited to the following:

1. Insurance Billing, Reporting, Coding and Procedures
2. Practice Management or Practice Building.

(2) The following organizations have been approved by the Board to conduct, sponsor, or co-sponsor continuing education coursework that is consistent with the chiropractic scope of practice in the State of Georgia and that is approved for continuing education per Rule 100-5-.02(1)(a), (b), and (c):

(a) Chiropractic Associations in this State; or

(b) Chiropractic schools or colleges approved by the Council on Chiropractic Education (CCE) or a Board approved successor, and the Board as approved in Rule 100-12-.01.

(3) Courses must be those in which actual attendance by the licensee shall be required.

However, distance based learning courses offered via audio/visual electronic media, such as the internet, may be approved by the Board if the course meets the following criteria:

- (a) The course must meet all of the requirements as cited in this Rule.
- (b) The program must be test and time monitored to insure active participation by the licensee.

Authority O.C.G.A. Secs. 43-1-25, 43-9-4, 43-9-6.1, 43-9-11. **History.** Original Rule entitled "Communications" adopted. F. and eff. June 30, 1965. **Repealed:** New Rule entitled "Approval of Educational Programs" adopted. F. Apr. 17, 1985; eff. May 7, 1985. **Amended:** F. June 24, 1988; eff. July 14, 1988. **Repealed:** New Rule of same title adopted. F. May 7, 1996; eff. May 27, 1996. **Repealed:** New Rule of same title adopted. F. July 22, 1997; eff. Aug. 11, 1997. **Repealed:** New Rule of same title adopted. F. Sept. 3, 1999; eff. Sept. 23, 1999. **Repealed:** New Rule of same title adopted. F. Nov. 19, 2002; eff. Dec. 9, 2002.

### **100-5-.03 Reporting and Auditing of Hours.**

- (1) At the time of license renewal, each licensee shall certify to the Georgia Board of Chiropractic Examiners that he/she has completed the continuing education required for license renewal.
- (2) The staff of the State Examining Boards shall audit the continuing education of a percentage of licensees determined by the Board, not to exceed 15%, of the licensed chiropractors, randomly selected, in the state per biennium for compliance with all rules and regulations.

Authority O.C.G.A. Secs. 43-9-6.1, 43-9-11. **History.** Original Rule entitled "Reporting and Auditing of Hours" adopted. F. Jul. 22, 1997; eff. Aug. 11, 1997.

### **100-5-.04 Application for Approval and Responsibilities of Providers.**

(1) Chiropractic Colleges and/or schools accredited by the Commission on Chiropractic Education are awarded blanket approval to provide continuing education programs on topics which fall within the current scope of practice in Georgia.

(2) Professional associations (Georgia Chiropractic Association and Georgia Council on Chiropractic or their subsequent organizations) in Georgia are awarded blanket approval to provide continuing education programs on topics which fall within the current scope of practice in Georgia.

(3) All continuing education providers must assure that the courses taught are on a topic in compliance with the current scope of practice

(4) All other continuing education providers must apply for approval by the Georgia Board and must provide the following information to the board for consideration:

1. Each sponsor or provider shall have an administrator whose responsibility is to maintain the criteria for quality in programming.

2. Providers shall use qualified personnel to develop and present the programs, which shall utilize appropriate instructional materials and resources.

3. Providers shall provide to the Board adequate advanced promotional information, material about target audiences, program content, and faculty credentials.

4. Providers shall provide a means of registration of the participants at each program and maintain a record of attendance for a period of three years from the date of the program.

5. Providers shall develop policies and procedures for the management of grievances.

(5) All continuing education providers seeking approval of the continuing education program by the Georgia Board of Chiropractic Examiners shall submit a Program Approval Form for each program presented. These forms should be submitted 60 days in advance of the program to be considered for approval.

(6) Providers shall provide each participant with adequate documentation of his/her successful completion of the program. The documentation shall include but is not limited to:

(i) Name and license number of participant;

(ii) Name of provider;

(iii) Name and title of program;

(iv) Hours/CEU's completed;

(v) Date of completion; and

(vi) Authorizing signature.

(7) Per O.C.G.A. § 43-9-11, the Georgia Board of Chiropractic Examiners reserves the right to audit and/or deny any continuing education provider who does not meet the criteria, laws, rules and regulations of the board pertaining to continuing education.

(8) The Board reserves the right for its representative to attend or conduct any on-sight audit of any continuing education program. Any fees associated with such audit must be waived by the provider. No continuing education credit would be awarded for such participation.

Authority O.C.G.A. Secs. 43-1-25, 43-9-6.1, 43-9-7.2, 43-9-11. **History.** Original Rule entitled "Responsibilities of Providers" adopted. F. Jul. 22, 1997; eff. Aug. 11, 1997. **Repealed:** New rule of same title adopted. F. May 3, 2007; eff. May 23, 2007.



# **CHAPTER 100-6**

## **PROCEDURAL RULES**

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#### **100-6-.01 Procedural Rules**

#### **100-6-.01 Procedural Rules.**

The Georgia Board of Chiropractic Examiners hereby adopts by reference as its permanent rules Chapters 295-3 through 295-13, and any future amendments thereto, Rules and Regulations of the Office of Joint Secretary, State Examining Boards, relating to Procedure for Hearings before the several State Examining Boards.

Authority Ga. L. 1964, p. 338, Ga. Code Chapter 84-5. **Administrative History.** Original Rule was filed on August 17, 1977; effective September 6, 1977.

# **CHAPTER 100-7**

## **IMMORAL AND UNPROFESSIONAL CONDUCT DEFINED**

### **TABLE OF CONTENTS**

#### **100-7-.01 Immoral and Unprofessional Conduct**

#### **100-7-.02 Inappropriate Representation**

#### **100-7-.03 Direct Contact with Prospective Patients**

#### **100-7-.04 Standards of Practice**

#### **100-7-.05 Sexual Misconduct**

#### **100-7-.06 Incompetence, Board Sanctions and Felony Convictions**

#### **100-7-.07 Patient Referrals and Patient Records**

##### **100-7-.01 Immoral and Unprofessional Conduct.**

(1) Failure to comply with any portion of Chapter 100-7 shall be deemed unprofessional conduct and may subject the licensee to revocation, suspension, probation, or other disciplinary action.

(2) It shall be considered immoral and unprofessional conduct to knowingly performing an act which in any way aids, assists, procures, advises, or encourages any unlicensed person to practice chiropractic;

(3) It shall be considered immoral and unprofessional conduct to fail to release patient records in compliance with O.C.G.A. § 31-33-2, to the patient, to another healthcare professional or any other authorized person within ten (10) business days upon proper written authorization by the patient.

Authority O.C.G.A. Secs. 31-33-2, 31-33-3, 31-33-8, 43-1-25, 43-9-6.1, 43-9-12, 43-9-19. Original Rule entitled "Immoral and Unprofessional Conduct Defined" adopted. F. May 25, 1982; eff. June 14, 1982. **Amended:** F. Oct. 26, 1984; eff. Nov. 15, 1984. **Amended:** F. Sept. 8, 1987; eff. Sept. 28, 1987. **Repealed:** New Rule of same title adopted. F. Oct. 29, 1987; eff. Nov. 18, 1987. **Amended:** F. Aug. 14, 1990; eff. Sept. 3, 1990. **Amended:** F. Jan. 16, 1991; eff. Feb. 5, 1991. **Amended:** F. June 3, 1994; eff. June 23, 1994. **Amended:** F. Jan. 20, 1998; eff. Feb. 9, 1998. **Amended:** F. Apr. 1, 1998; eff. Apr. 21, 1998. **Amended:** F. Apr. 15, 1998; eff. May 5, 1998. **Amended:** F. Aug. 28, 1998; eff. Sept. 17, 1998. **Repealed:** New Rule of same title adopted. F. May 25, 1999; eff. June 14, 1999. **Repealed:** New Rule entitled "Immoral and Unprofessional Conduct" adopted. F. Apr. 27, 2004; eff. May 17, 2004. **Repealed:** New rule of same title adopted. F. May 3, 2007; eff. May 23, 2007.

##### **100-7-.02 Inappropriate Representation.**

(1) For the purposes of this Section, inappropriate representation shall include, but not be limited to, the following:

(a) knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of chiropractic, the filing of any insurance claim, or in any document connected herewith.

Authority O.C.G.A. Secs. 43-9-6.1, 43-9-7, 43-9-12, 43-9-12.1, 43-9-16. **History.** Original Rule entitled “Inappropriate Representation” adopted. F. Apr. 27, 2004; eff. May 17, 2004.

#### **100-7-.03 Direct Contact with Prospective Patients.**

(1) A chiropractor shall not compensate or give anything of value to a person or organization to recommend or secure the services of the chiropractor by a specific patient.

(2) A chiropractor shall not send, or knowingly permit to be sent, on their behalf, any oral, written or graphic communication to a prospective patient for the purpose of solicitation to render patient care services if:

(a) It has been made known to the chiropractor that said person does not desire to receive communications from the chiropractor;

(b) The communication involves coercion, duress, fraud, overreaching, harassment, intimidation or undue influence;

(c) The written communication concerns an action of personal injury or relates to an accident or disaster involving the person to whom the communication is addressed or a relative of that person, unless the accident occurred more than 30 days prior to the mailing of the communication; or

(d) The chiropractor knows or reasonably should know the physical, emotional or mental state of the person is such that the person cannot exercise reasonable judgment in seeking chiropractic care services.

Authority O.C.G.A. Secs. 33-24-53, 43-1-25, 43-9-6.1, 43-9-12. **History.** Original Rule entitled “Direct Contact with Prospective Patients” adopted. F. Apr. 27, 2004; eff. May 17, 2004.

#### **100-7-.04 Standards of Practice.**

(1) For the purposes of this Section, standards of practice shall include, but not be limited to, the following:

(a) Knowingly performing an act which in any way aids, assists, procures, advises, or encourages any unlicensed person to practice chiropractic;

1. Nothing in this Section shall prohibit the activities authorized in O.C.G.A. [43-9-7.2\(3\)\(A\)\(B\)](#).

(b) failing to conform or comply with the minimum standards of acceptable and prevailing chiropractic care;

1. Chiropractic care shall include offering or rendering a professional chiropractic opinion, which has the capacity or intent of affecting the frequency, duration, necessity, or outcome of chiropractic treatment or patient care. Any person rendering such a

chiropractic opinion in Georgia must identify themselves by name, degree designation, location of practice, and Georgia chiropractic license number.

(c) failing to release patient information to another healthcare professional or any other authorized person upon proper written authorization by the patient.

Authority O.C.G.A. Secs. 31-33-1 to 31-33-3, 43-1-25, 43-9-6.1, 43-9-12, 43-9-12.1, 43-9-16. **History.** Original Rule entitled "Standards of Practice" adopted. F. Apr. 27, 2004; eff. May 17, 2004.

#### **100-7-.05 Sexual Misconduct.**

(1) For the purposes of this Section, sexual misconduct shall include, but not be limited to, the following:

(a) engaging in sexual misconduct with a patient.

2. "Patient" as used in this Section is any person, other than a spouse, who was being examined or who was under the care or treatment of the chiropractor when the incident or incidents of sexual misconduct allegedly occurred, regardless of whether the person was billed by or was paying for chiropractic services; regardless if the alleged sexual misconduct occurred outside of professional treatment sessions; or the alleged sexual misconduct was off the premises regularly used by the licensee for the professional treatment of patients and regardless of whether the person consented. A person shall be considered a patient until six (6) months has elapsed since the last date on which the chiropractor examined or treated the person.

3. "Sexual Misconduct" as used in this Section means sexual impropriety which may include but is not limited to:

(a) Any behavior, gestures, or expressions which may reasonably be interpreted as inappropriately seductive or sexually demeaning;

(b) Inappropriate sexual comments about and to a patient including sexual comments about an individual's body;

(c) Requesting unnecessary details of sexual history or sexual likes and dislikes;

(d) Making a request to date;

(e) Initiating conversation regarding the sexual problems, preferences, or fantasies of the licensee;

(f) Participation in acts of a sexual nature recorded on film, in print or in an electronic medium;

(g) Acceptance of compensation for acts of a sexual nature and as described as "sexual intimacy."

(h) Kissing or fondling of a sexual nature; or

(i) Any other deliberate or repeated comments, gestures, or physical acts not constituting sexual intimacies but of a sexual nature.

(4) "Sexual intimacy" as used in this Section means acts which may include engaging in any conduct that is sexual or may be reasonably interpreted as sexual, such as:

- (a) Sexual intercourse;
- (b) Genital contact;
- (c) Oral to genital contact;
- (d) Genital to anal contact;
- (e) Oral to anal contact;
- (f) Oral to oral contact;
- (g) Touching breasts or genitals;
- (h) Encouraging the patient or another to masturbate in the presence of the licensee;
- (i) Masturbation by the licensee when another is present; or
- (j) Any bodily exposure of normally covered body parts.

Authority O.C.G.A. Secs. 43-1-25, 43-9-6.1, 43-9-12, 43-9-12.1, 43-9-16. **History.** Original Rule entitled "Sexual Misconduct" adopted. F. Apr. 27, 2004; eff. May 17, 2004.

#### **100-7-.06 Incompetence, Board Sanctions and Felony Convictions.**

(1) For the purposes of this rule, incompetence, board sanctions and felony convictions shall include, but not be limited to, the following:

(a) practicing the profession of chiropractic while suffering from some mental or physical incapacity that renders the licensee unable to practice chiropractic with reasonable skill and safety to patients;

(b) being subject to revocation, suspension, or annulment of the license to practice chiropractic by any lawful licensing authority, or by having other disciplinary action taken against the licensee by any lawful licensing authority, or being denied a license by any such authority;

(c) being convicted of a felony in the courts of this State or any state, territory, or country;

1. "Conviction of a felony " as used in this Section shall include a conviction of an offense which, if committed in this state, would be deemed a felony without regard to its designation elsewhere;

2. for the purposes of this Section, a "conviction" shall be deemed to include a finding or verdict of guilty, or plea of nolo contendere, regardless of whether an appeal of the conviction has been sought.

(d) violating any statute, law, rule, or regulation of this State, any other state, the Board, the United States, or any other lawful authority without regard to whether the violation is

criminally punishable, which statute law, rule, or regulation relates to or regulates the practice of the chiropractic.

Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-9-6.1, 43-9-12, 43-9-12.1, 43-9-16. **History.** Original Rule entitled "Incompetence, Board Sanctions and Felony Convictions" adopted. F. Apr. 27, 2004; eff. May 17, 2004.

#### **100-7-.07 Patient Referrals and Patient Records.**

(1) For the purposes of this rule, unprofessional conduct shall include, but not be limited to, the following:

(a) failing to refer a patient to an appropriate health care provider when it is clear that a chiropractor knows or should have known that the patient condition is outside their scope of professional experience, training, or practice;

1. failing to retain original patient x-ray films for a period of ten(10) years from the date of each x-ray exposure and/or failing to retain all other patient records, including radiological diagnosis and clinical impressions, for a period of ten (10) years from the date of the last examination or treatment by the doctor of chiropractic.

Authority O.C.G.A. Secs. 31-33-1 to 31-33-3, 43-1-25, 43-9-6.1, 43-9-12, 43-9-12.1, 43-9-16. **History.** Original Rule entitled "Patient Referrals and Patient Records" adopted. F. Apr. 27, 2004; eff. May 17, 2004.

# **CHAPTER 100-8**

## **SCOPE OF PRACTICE OF CHIROPRACTIC STUDENTS**

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#### **100-8-.01 Scope of Practice of Chiropractic Students**

#### **100-8-.02 Notification and Reapproval**

#### **100-8-.01 Scope of Practice of Chiropractic Students. Amended.**

##### **(1) Definitions.**

(a) "Chiropractic Preceptor" means any person licensed as a doctor of chiropractic in the State of Georgia who is approved by the Board to supervise chiropractic students in the performance of chiropractic at a location other than the premises of the chiropractic college in which the student is enrolled.

(b) "Supervision and direction" means that a duly authorized instructor or chiropractic preceptor shall be within the immediate patient treatment area, the clinic proper, and available to the students at all times.

(2) Students enrolled at approved chiropractic colleges may perform chiropractic procedures provided such students have successfully completed at least one academic year of schooling and the chiropractic procedures are performed under the supervision and direction of an authorized instructor duly licensed to practice chiropractic in the State of Georgia.

(3) Students enrolled at approved chiropractic colleges may perform chiropractic procedures at a location other than the premises of the chiropractic college at which the student is enrolled provided such students have successfully completed a minimum of three academic years of chiropractic college and have met all of the chiropractic college's requirements concerning its student/preceptor program. The chiropractic procedures performed by the student shall be performed under the supervision and direction of a Chiropractic Preceptor.

(4) Students performing chiropractic procedures at a location other than the premises of the chiropractic college at which the student is enrolled and under the supervision and direction of a Chiropractic Preceptor shall be known as "Chiropractic Interns" and shall not represent themselves to the public as licensed Chiropractors or use terms such as "Chiropractor", "Doctor of Chiropractic" or "D.C."

(5) The Chiropractic Preceptor must be approved by the Board prior to supervising a chiropractic student. To qualify as a Chiropractic Preceptor, the chiropractor shall:

(a) Be licensed to practice chiropractic in the State of Georgia for not less than five years.

(b) Not have had any public or private sanctions against his license to practice chiropractic in Georgia or any other state.

(c) Sign a sworn statement that he or she has not knowingly violated federal rules or regulations including, but not limited to, those pertaining to the repayment of guaranteed federally funded student loans obtained to finance one's chiropractic education.

(d) Have the written approval of the chiropractic student's chiropractic college to serve as an adjunct faculty member for the purpose of a student/preceptor program.

(6) All chiropractic procedures performed by chiropractic students shall be in compliance with all laws, rules, and regulations regarding the practice of chiropractic in the State of Georgia.

(7) The primary responsibility for the programming and treatment of the patient by the chiropractic student rests with the Chiropractic Preceptor or other authorized instructor.

(8) Documentation of all programming and treatment of the patient and all changes to such programming and treatment plans must be reviewed and approved by the authorized instructor or Chiropractic Preceptor.

Authority O.C.G.A. Secs. 43-9-17; 43-9-6.1(1); 43-9-12(a)(6) and (8); 43-1-19(a)(6) and (8). **History.** Original Rule entitled "Fees" was filed on May 25, 1982; effective June 14, 1982. **Amended:** Filed August 25, 1982; effective September 14, 1982. **Amended:** Rule renumbered as 100-9-.01 and a new Rule entitled "Supervision" adopted. Filed July 25, 1984; effective August 14, 1984. **Repealed:** New Chapter entitled "Scope of Practice of Chiropractic Students" adopted. F. Jun. 6, 1990; eff. Jun. 26, 1990. **Amended:** F. Sept. 15, 1994; eff. Oct. 5, 1994.

### **100-8-.02 Notification and Re-approval.**

(1) It is the responsibility of the chiropractic college to notify the Board of the specific dates that a Chiropractic Intern shall be serving as a Chiropractic Intern under the supervision and direction of a Chiropractic Preceptor.

(2) The Board's approval for all chiropractors serving as Chiropractic Preceptors shall expire December 31st of each even-numbered year. It is the responsibility of the chiropractic college to submit to the Board for reapproval the required documentation concerning each Chiropractic Preceptor during the last quarter of the even-numbered year.

Authority O.C.G.A. Secs. 43-9-6.1(1); 43-9-17. **History.** Original Rule entitled "Notification and Re-approval" adopted. F. Jun. 14, 1991; eff. Jul. 4, 1991.



# CHAPTER 100-9

## ELECTRICAL THERAPEUTIC MODALITIES

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#### **100-9-.01 Electrical Therapeutic Modalities**

#### **100-9-.01 Electrical Therapeutic Modalities. Amended.**

Doctors of Chiropractic may utilize, in conjunction with adjustments, electrical therapeutic modalities.

(a) Each chiropractor, who utilizes electrical therapeutic modalities, must be certified as required in Code Section 43-9-16(c).

(b) The responsibility for treatment using electrical therapeutic modalities rests with the licensed Doctor of Chiropractic responsible for the patient receiving such care.

(c) Only chiropractors who are certified may administer electrical therapeutic modalities.

(d) To become certified by the Board for use of electrical therapeutic modalities, a licensed Doctor of Chiropractic must:

1. Submit to the Georgia Board of Chiropractic Examiners official documentation of having obtained a minimum of 120 classroom hours of instruction in the proper utilization of electrical therapeutic modalities.

2. Official documentation shall mean transcripts or letters of certification from the institution or organization providing training.

3. Courses taught by institutions accredited by the Council on Chiropractic Education (CCE) are approved for purposes of this regulation.

4. Courses taught by entities other than CCE accredited institutions must be approved by the Board prior to the course being offered and must provide instruction in the proper utilization of those procedures in accordance with the standards utilized by chiropractic schools.

Authority O.C.G.A. 43-9-16. **Administrative History.** Original Rule entitled "Fees" was filed on May 25, 1982; effective June 14, 1982 as Rule 100-8-.01. **Amended:** Filed August 25, 1982; effective September 14, 1982. **Amended:** Rule renumbered as 100-9-.01. Filed July 25, 1984; effective August 14, 1984.

**Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 17, 1985; effective May 7, 1985. **Amended:** Rule renumbered as 100-10-.01 and a new Rule entitled "Electrical Therapeutic Modalities" adopted. Filed December 2, 1986; effective December 22, 1986. **Amended:** F. Jan. 13, 1999; eff. Feb. 3, 1999.

# **CHAPTER 100-10**

## **REASONABLE CARE AND SKILL DEFINED**

### **TABLE OF CONTENTS**

#### **100-10-.01 Reasonable Care and Skill Defined**

##### **100-10-.01 Reasonable Care and Skill Defined.**

In accordance with O.C.G.A. Sec. 43-9-12.1, the definition of reasonable care and skill shall include, but not be limited to, the following criteria:

(a) A doctor of chiropractic must bring to the exercise of his/her profession a reasonable degree of care and skill which shall include the determination of the need for chiropractic care as defined in Code Section 43-9-1(2).

1. The determination of the need for chiropractic care shall include only those methods of determining the need for chiropractic care, treatment, or referral which are taught by chiropractic schools or colleges accredited by the Council on Chiropractic Education or a board approved successor.

(b) The doctor of chiropractic has the responsibility as a primary healthcare provider to examine, establish a diagnosis/clinical impression, render treatment and/or referral, commensurate with his/ her findings.

1. Referral to an appropriate health care provider shall be considered by the Board to mean the direction of a patient to another licensed health care professional or institution for evaluation, consultation or care. Referrals may be made for the purposes of consultation, concurrent care, post-chiropractic care, the administration of diagnostic procedures, the evaluation of diagnostic findings, emergency care or because a clear determination has been, or should have been made on the part of the chiropractor that a patient condition is outside his/her scope of professional experience, training or practice.

(i) For the purposes of this chapter the Board shall define the term “licensed health care professional” to mean, but not be limited to mean, any healthcare practitioner appropriately licensed or certified in this or another state to practice one of the healthcare professions.

(ii) For the purposes of this chapter the Board shall define the term “licensed healthcare institution” to mean any healthcare facility authorized or licensed by this or another state to provide treatment or evaluation and shall include, but not be limited to, hospitals, clinics, physical therapy or rehabilitation facilities or clinics, diagnostic imaging centers, or licensed clinical laboratories.

2. Any failure to refer a patient to an appropriate health care provider when it is clear that a chiropractor knows or should have known that a patient condition is outside his/her scope of professional experience, training or practice may be considered by the Board to constitute unprofessional conduct subject to the provisions of O.C.G.A. Sec. 43-9-12.

(c) A diagnosis/clinical impression must be established based on the correlation of the history and the examination into a logical and meaningful framework to determine the chiropractic care to be utilized.

(d) The doctor of chiropractic is expected to render adjustments in accordance with specific chiropractic methods when such treatment is indicated.

(e) The doctor of chiropractic may utilize ancillary physiological therapeutic procedures in conjunction with adjustments of the spinal structures in accordance with Rule 100-9-.01.

(f) The doctor of chiropractic may utilize procedures, as may be authorized by statute, and as are necessary to provide a reasonable degree of care and skill in the rehabilitation of the patient.

(g) Records shall be maintained clearly showing the progression of the events under clinical review, diagnosis/clinical impressions, chiropractic care and case management. All records shall be available as provided in O.C.G.A. Title 31, Chapter 33.

(h) Original patient x-ray films or accurate copies shall be retained for not less than ten (10) years from the date of each x-ray exposure.

1. Except as provided in subparagraph (h), all other patient records, including radiological diagnosis and clinical impressions, shall be retained for not less than ten (10) years from the date of the last examination or treatment by the doctor of chiropractic.

Authority O.C.G.A. Secs. 31-7-131, 31-33-2, 31-33-8, 43-1-19, 43-1-25, 43-9-1, 43-9-6, 43-9-6.1, 43-9-12.1, 43-9-16. **History.** Original Rule entitled "Fees" adopted. F. Dec. 2, 1986; eff. Dec. 22, 1986. **Repealed:** New Rule of same title adopted. F. June 25, 1987; eff. July 15, 1987. **Repealed:** New Rule entitled "Reasonable Care and Skill Defined" adopted. F. Aug. 27, 1987; eff. Sept. 16, 1987. **Amended:** F. Dec. 15, 1992; eff. Jan. 4, 1993. **Amended:** F. Dec. 5, 1997; eff. Dec. 25, 1997. **Repealed:** New Rule of same title adopted. F. Feb. 15, 2002; eff. Mar. 7, 2002. **Repealed:** New Rule of same title adopted. F. Sept. 25, 2002; eff. Oct. 15, 2002. **Repealed:** New Rule of same title adopted. F. Feb. 20, 2007; eff. Mar. 12, 2007.

# CHAPTER 100-11

## FEES

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#### 100-11-.01 Fees

#### 100-11-.01 Fees. Amended.

The required fee must accompany the appropriate application as noted in the Schedule of Fees adopted by the Board;

(a) Application for Licensure Fee—as shown on the schedule of fees adopted by the Board;

(b) Reciprocity Application fee—as shown on the schedule of fees adopted by the Board;

(c) Replacemnet Wall Certificate fee—as shown on the schedule of fees adopted by the Board;

(d) Reinstatement fee—as shown on the schedule of fees adopted by the Board;

(e) Biennial Renewal Fee—as shown on the schedule of fees adopted by the Board;

(f) Biennial Renewal Late penalty fee—as shown on the schedule of fees adopted by the Board;

(g) Temporary License fee—as shown on the schedule of fees adopted by the Board;

Authority O.C.G.A. Secs. 43-9-4, 43-9-6.1, 43-9-7, 43-9-8, 43-9-9, 43-9-11, 43-9-12(g), (i), 43-9-15.

**History.** Rule entitled "Fees" adopted as Rule 100-10-.01 renumbered as Rule 100-11-.01. Filed August 27, 1987; effective September 16, 1987. **Amended:** Rule repealed and a new Rule of the same title adopted.

Filed February 1, 1988; effective February 21, 1988. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed August 22, 1988; effective September 11, 1988. **Amended:** F. Aug. 14, 1990; eff. Sept. 3, 1990. **Amended:** F. Oct. 20, 1992; eff. Nov. 5, 1992. **Amended:** F. Jun. 9, 1993; eff. Jun. 29, 1993.

**Amended:** F. Dec. 16, 1996; eff. Jan. 5, 1997. **Amended:** F. May 7, 1997; eff. May 27, 1997. **Repealed:** New Rule, same title, adopted. F. Jan. 13, 1999; eff. Feb. 3, 1999.

# **CHAPTER 100-12**

## **APPROVED CHIROPRACTIC SCHOOLS OR COLLEGES**

### **TABLE OF CONTENTS**

#### **100-12-.01 Approved Chiropractic Schools or Colleges**

#### **100-12-.01 Approved Chiropractic Schools or Colleges.**

(1) The Board shall maintain a list of chiropractic schools and colleges accredited by the Council on Chiropractic Education (CCE) that are approved by the Board.

(2) As required by the Council On Chiropractic Education, all faculty of Board approved chiropractic schools and colleges must possess a Doctor of Chiropractic degree or a related first professional degree that has been earned from a college or university accredited by an accrediting body recognized by the U. S. Secretary of Education or its foreign equivalent.

(3) The Board's list of approved CCE chiropractic schools and colleges is presently comprised of the following American and foreign institutions:

(a) Approved chiropractic colleges in the United States:

Cleveland Chiropractic College - KC  
6401 Rockhill Road  
Kansas City, MO 64131

Cleveland Chiropractic College - LA  
590 North Vermont Avenue  
Los Angeles, CA 90004

Life Chiropractic College  
1269 Barclay Circle  
Marietta, GA 30060

Life Chiropractic College - West  
2005 Via Barnett, P.O. Box 367  
San Lorenzo, CA 94580

Logan College of Chiropractic  
1851 Schoettler Road, P.O. Box 1065  
Chesterfield, MO 63006-1065

Los Angeles College of Chiropractic  
16200 East Amber Valley Drive, P.O. Box 1452  
Whittier, CA 90609-1166

National College of Chiropractic  
200 East Roosevelt Road  
Lombard, IL 60148-4583

New York College of Chiropractic  
2360 State Rte. 89, P.O. Box 800  
Seneca Falls, NY 13148-0800  
Northwestern College of Chiropractic  
2501 West 84th Street  
Bloomington, MN 55431

Palmer College of Chiropractic  
1000 Brady Street  
Davenport, LA 52803

Palmer College of Chiropractic - West  
90 E. Tasman Drive  
San Jose, CA 95134

Parker College of Chiropractic  
2500 Walnut Hill Lane  
Dallas, TX 75229

Sherman College of Straight Chiropractic  
2020 Springfield Road, P.O. Box 1452  
Spartanburg, SC 29304

Texas Chiropractic College  
5912 Spencer Highway  
Pasadena, TX 77505

University of Bridgeport  
College of Chiropractic  
Bridgeport, CT 06601

Western States Chiropractic College  
2900 Northeast 132nd Avenue  
Portland, OR 97230

(b) Approved Foreign Chiropractic Colleges:

Anglo-European College of Chiropractic  
13/15 Parkwood Road  
Bournemouth, Dorset ENGLAND BH5 2DF

Canadian Memorial Chiropractic College  
1900 Bayview Avenue  
Toronto, Ontario CANADA M4G 3E6

Macquarie University  
Chiropractic Program  
Centre for Chiropractic and Osteopathy  
P.O. Box 178  
Summerhill, New South Wales, AUSTRALIA 2130

Royal Melbourne Institute of Technology  
School of Chiropractic and Osteopathy  
Plenty Road, P.O. Box 96  
Bundoora, Victoria, AUSTRALIA 3083

(4) The failure of any of these schools or colleges to maintain accreditation from the Council on Chiropractic Education or a Board approved successor, if any, or to comply with the rules and regulations established by the Board shall be grounds for removal from the Board's approved list.

Authority O.C.G.A. Sec. 43-9-7(d). **History.** Original Rule entitled "Approved Chiropractic Schools or Colleges" adopted. F. Jan. 22, 1996; eff. Feb. 11, 1996.

# CHAPTER 100-13

## TRAVEL TO TREAT; VISITING PRACTICE

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#### **100-13-.01 Travel To Treat; Visiting Practice**

#### **100-13-.01 Travel To Treat; Visiting Practice.**

(1) A chiropractor not licensed to practice in Georgia but who is licensed and in good standing in any other state, territory, or jurisdiction of the United States or any other nation or foreign jurisdiction may engage in the practice of chiropractic if he or she is employed or designated in his or her professional capacity by a sports or performing arts entity visiting the State for a specific sports or performing arts event subject to the following restrictions and rules:

(a) The practice of chiropractic subject to this rule shall be limited to members, coaches, and/or official staff of the team or event for which that chiropractor is designated. In the event that services are requested by a specific athlete or performer, the practice of chiropractic shall be limited to services performed for that individual only.

(b) The practice of chiropractic as authorized by this rule shall be limited to the designated venue of the event or designated treatment area for said event. The Board, in its discretion, may audit, review, or inspect the venue and chiropractic services rendered.

(c) Any chiropractor practicing under the authority of this Section may utilize only those practices and procedures that are within the scope of chiropractic practice in the State of Georgia as authorized by O.C.G.A. 43-9 and the rules and regulations governing chiropractic practice in this State.

(d) A chiropractor practicing under the authority of this Section may not utilize electrical therapeutic modalities if he or she does not have at least 120 hours of instruction in their proper utilization as required by O.C.G.A. 43-9-16 and Board Rule 100-9-.01.

(e) Any violation of law, rule, or regulation governing the chiropractic practice provided for pursuant to O.C.G.A. § 43-9-7.2(3) shall result in the immediate revocation of all such privileges pertaining to the practice of chiropractic in this State. Such violations may, in the discretion of the Board, be considered grounds for refusal or sanction of a license should the person apply for licensure in this State.

Authority O.C.G.A. Sec. 43-9-7.2(3). **History.** Original Rule entitled "Travel To Treat; Visiting Practice" adopted. F. Jan. 22, 1996; eff. February 11, 1996.



# **CHAPTER 100-14**

## **PROFESSORS OR INSTRUCTORS EMPLOYED BY CHIROPRACTIC SCHOOLS IN GEORGIA**

### **TABLE OF CONTENTS**

#### **100-14-.01 Professors or Instructors Employed By Chiropractic Schools in Georgia**

#### **100-14-.01 Professors or Instructors Employed By Chiropractic Schools in Georgia.**

(1) A Doctor of Chiropractic shall not be authorized to supervise or perform any chiropractic task or service provided on a fee-for-service basis without having first obtained a license to practice chiropractic in this State. Any person violating this rule shall be regarded as practicing chiropractic without a license.

(2) No person licensed to practice chiropractic in this or another State who is employed as a professor or instructor by a chiropractic school or college located in this State for undergraduate, graduate, or post-graduate studies, shall be authorized to teach, instruct, supervise, or perform any task, procedure, or course of instruction that is not within the scope of chiropractic practice as provided for in Chapter 43-9 of the Official Code of Georgia Annotated.

Authority O.C.G.A. Sec. 43.9-7.2(2). **History.** Original Rule entitled "Professors or Instructors Employed By Chiropractic Schools in Georgia" adopted. F. Jan. 22, 1996; eff. February 11, 1996.

# CHAPTER 100-15

## CHIROPRACTIC ASSISTANTS

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#### 100-15-.01 Chiropractic Assistants

#### 100-15-.01 Chiropractic Assistants.

Chiropractors duly licensed in this state may utilize persons to assist them in those practices and procedures authorized by Title 43, Chapter 9 of the O.C.G.A. subject to the following limitations:

- (a) Only licensed doctors of chiropractic shall be authorized to perform adjustments of the articulations of the human body.
  - (b) A person assisting a licensed doctor of chiropractic shall do so only under the direct order and direct supervision of a licensed doctor of chiropractic.
    - 1. For purposes of this Rule, "direct order" shall mean a written or verbal instruction or direction to perform practices or procedures authorized by Title 43, Chapter 9 of the O.C.G.A.
    - 2. For purposes of this Rule, "direct supervision" shall mean that a licensed doctor of chiropractic is physically present in the facility or office and is responsible for all practices and procedures performed under his or her direct order.
  - (c) A chiropractic assistant may administer electric therapeutic modalities to patients only in those instances in which the assistant is acting under the direct order and direct supervision of a licensed chiropractor certified by the Board to utilize these modalities.
- Authority O.C.G.A. Sec. 43-9-7.2(4). **History.** Original Rule entitled "Chiropractic Assistants" adopted. F. May 7, 1996; eff. May 27, 1996.

# CHAPTER 100-16

## TEMPORARY LICENSE

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#### **100-16-.01 Temporary License**

#### **100-16-.01 Temporary License.**

(1) The Board may issue, in its discretion, without examination, a temporary license to an applicant, subject to the following conditions:

(a) An applicant shall file contemporaneously an application for regular state licensure as provided for in O.C.G.A. 43-9-7 with a completed application for temporary licensure, which temporary license application shall be accompanied by the following:

1. Certification from all states in which the applicant holds a chiropractic license demonstrating his or her good standing. To be considered for temporary licensure, an applicant's license must be in good standing in the state in which he or she successfully passed an examination for licensure, and this state must have the same or similar licensing requirements as the State of Georgia;

2. A request for Board approval, on a form provided by the Board, from a doctor of chiropractic licensed and in good standing in this state who has agreed to undertake the supervision and direction of the applicant for temporary licensure in accordance with the provisions of Board Rule 100-16-.01(3); and

3. A temporary license application fee established by the Board.

(b) An applicant who has previously taken and failed the Georgia examination for licensure will not be permitted to obtain a temporary license to practice in this state.

(2) A person who has been granted a temporary license shall have all of the rights and privileges incident to the practice of chiropractic in this state as authorized by the laws, rules and regulations governing the practice of chiropractic in the state of Georgia, subject to the following limitations:

(a) A person holding a temporary license shall only practice chiropractic under the supervision and direction of a Board approved licensed doctor of chiropractic.

(b) For purposes of this Rule, the phrase "supervision and direction" shall mean that the supervising licensed doctor of chiropractic shall be physically present on the premises and accessible to the temporary licensee at all times. The phrase "supervision and direction" shall further mean that the temporary licensee shall be required to maintain clearly legible treatment records which shall include a treatment plan on each patient which has been reviewed, approved, and signed by the supervising licensed doctor of chiropractic.

(c) A temporary licensee shall be required to maintain records in the manner set forth in Board Rule 100-10-.01(g). All treatment records shall include a plan of care for each patient that has been reviewed and approved by the licensed doctor of chiropractic. On any visit on which the temporary licensee has provided care to a patient, both the supervising licensed doctor of chiropractic and temporary licensee shall sign off on the record.

(d) Persons practicing under a temporary license shall not utilize electrical therapeutic modalities unless the chiropractor by whom he or she is being directly supervised is authorized to utilize these modalities and the temporary licensee has himself or herself previously received certification from the Board to use these modalities as required by Board Rule 100-9-.01.

(3) As part of the application process, an applicant for temporary licensure must formally request the Board approval of a licensed doctor of chiropractic to serve as his or her supervising doctor of chiropractic. The following criteria shall be employed by the Board in determining whether a chiropractor may serve in this capacity:

(a) The proposed supervising doctor of chiropractic shall:

1. be licensed and in good standing in this state; and
2. not be under a current disciplinary sanction or have any disciplinary sanctions by this or another licensing agency resulting from unprofessional conduct, including, but not limited to, a felony conviction, a standard of care case, or crime involving moral turpitude.

(b) The supervising licensed doctor of chiropractic shall agree to provide supervision and direction to the temporary licensee as provided for in Section 2 of this Rule.

(c) Any willful failure to adequately provide supervision and direction to a temporary licensee in his or her charge may result in disciplinary action being initiated against the supervising licensed doctor of chiropractic.

(d) No licensed doctor of chiropractic shall be approved to supervise more than one temporary licensee at a time.

(e) In the event that a holder of a temporary license does not take and successfully pass the next available licensing examination, the supervising chiropractor shall immediately assume responsibility for all patients being treated by the former temporary licensee. All such patients who were previously treated by the former temporary licensee shall be notified in writing of the reason for this change in doctor of chiropractic within 72 hours of the date of the expiration of the temporary license.

(4) The temporary license shall:

(a) Remain valid for a maximum of twelve (12) months from the date of issuance but shall automatically expire within the twelve month period when the temporary license holder:

1. is granted a regular license; or
2. does not take and pass the next available examination following the grant of such temporary license, in which event the license expires upon the notification of the results of the examination.

(5) Continued practice after the date of expiration of a temporary license without first having successfully obtained a regular license shall constitute the unlicensed practice of chiropractic which is punishable as a felony in the State of Georgia.

Authority O.C.G.A. Sec. 43-9-7.1. **History.** Original Rule entitled "Temporary License" adopted. F. Sept. 25, 1996; eff. Oct. 15, 1986.